

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek  
Departmental Paperwork Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6625  
Washington, DC 20230

09/27/2005

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 06/23/2005.

TITLE: Atlantic Highly Migratory Species Permit Family of Forms

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITH CHANGE

OMB NO.: 0648-0327

EXPIRATION DATE: 09/30/2008

BURDEN:	RESPONSES	HOURS	COSTS(\$ ,000)
Previous	24,319	4,748	727
New	45,520	8,490	1,131
Difference	21,201	3,742	404
Program Change		421	109
Adjustment		3,321	295

TERMS OF CLEARANCE:

The agency is instructed to review all forms that gather personally identifiable information, including Social Security Number, and ensure compliance with the Privacy Act. This includes providing the required disclosures with the form and ensuring compliance with Section 7 of the Act which limits the agency's authority to require the respondent to provide the SSN and requires a disclosure specific to the request for the SSN.

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OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

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# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated  5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No  6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) ( <i>if applicable</i> )	
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT**  
**ATLANTIC HIGHLY MIGRATORY SPECIES PERMIT FAMILY OF FORMS**  
**OMB CONTROL NO.: 0648-0327**

**INTRODUCTION**

This Supporting Statement is submitted as part of a Paperwork Reduction Act (PRA) request to renew and revise an information collection that was approved under OMB Control No.: 0648-0327. The existing collection consists of mandatory annual vessel permits for commercial Atlantic tunas fisheries and recreational and charter/headboat fisheries for all Atlantic Highly Migratory Species (HMS) and a dealer permit (HMS International Trade Permit (ITP)) that is required for import or export of bluefin tuna, southern bluefin tuna, swordfish, and frozen bigeye tuna. Several HMS permits are being added to this collection to make this collection a comprehensive permit family of forms for Atlantic HMS fisheries, as indicated in the table below.

<b>Item</b>	<b>Current Collections (0648-)</b>	<b>Disposition</b>
<b>Dealer Permits</b>		
HMS ITP	0327	Renew
Atlantic Tunas Dealer	0202	Transfer to 327 & renew; will no longer cover bluefin international trade
Shark Dealer	0205	Transfer to 327 & renew
Swordfish Dealer	0205	Transfer to 327 & renew; will no longer cover swordfish import
<b>Vessel Permits</b>		
Atlantic Tunas	0327	Renew
HMS Charter/Headboat	0327	Renew
HMS Recreational	0327	Renew
Shark (Directed, Incidental)	0205	Transfer to 327 & renew
Swordfish (Directed, Incidental, Hand gear)	0205	Transfer to 327 & renew

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

The purpose of this collection of information is to comply with the statutory obligations of the Atlantic Tunas Convention Act of 1975 (ATCA; 16 U.S.C. 971)(Attachment 6), the Tunas Conservation Act (TCA, 16 U.S.C. §955)(Attachment 7), and the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA; 16 U.S.C. 1853)(Attachment 8), and, the implementing regulations at 50 CFR part 635.

Section 971d(c)(3) of the ATCA provides the statutory authority to promulgate regulations as necessary to implement the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). As a member nation of ICCAT, the United States is obligated to implement ICCAT recommendations and take part in the collection of biological statistics for research purposes (fishing effort and catch). As one of the member nations fishing for Atlantic HMS, the United States must abide by the specific catch quotas or caps assigned by ICCAT and support ICCAT rebuilding and fishery management programs. ICCAT recommendations have also established restrictions on international trade, such as statistical document programs to track the trade of bluefin tuna, swordfish, and frozen bigeye tuna.

The United States is also a member of the Inter-American Tropical Tuna Commission (IATTC), and authorized under the Tunas Convention Act to implement resolutions approved by IATTC. Like ICCAT, IATTC has adopted a resolution for a frozen bigeye tuna statistical document program.

The Atlantic tunas, swordfish, billfish and shark fisheries are also managed under the MSFCMA, and several of these fisheries are subject to restrictive catch quotas with the goal of recovering the stocks to a level commensurate with maximum sustainable yield. These stocks are fully fished or overfished at this time. Section 303(b) of the MSFCMA provides statutory authority to require permits for fisheries governed by management plans issued by the Secretary of Commerce.

Regulations at 50 CFR 635 require the permits outlined in the introductory paragraph. The importance of the information collected by permit issuance and the use of the permit system is explained in item #2.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

Vessel Permits

The general information collected for vessel permits includes all or some of the following:

Vessel owner, corporate status, birthdate or corporation filed date, social security number or Federal ID number, names of additional owners, and contact information (e.g. address, phone, etc.);

Vessel name, registration, and port;

Vessel characteristics and construction type;

Gear type/category;

Signature and payment/delivery information.

Shark and swordfish limited access permit applications collect the following additional information:

Lease information (if applicable).

Transfer of tuna, shark and swordfish limited access permits require the following additional information:

Previous year's original valid/expired permit.

Shark, swordfish, and tuna limited access permits require submission of a signed hard-copy application in addition to the information indicated above. All other vessel permits can be obtained by submitting a hard-copy application, or using the automated permitting system (toll free telephone 1-888-USA-TUNA or website [www.nmfspermits.com](http://www.nmfspermits.com)). The application necessary for each permit is identified below, and copies of applications are attached.

Vessel Permit Type	Reporting Instrument (Application Type)	Attachment Number
Atlantic Tunas, HMS Charter/Headboat, & HMS Recreational	NOAA Atlantic Tunas & Atlantic HMS Permit Application	1
Swordfish and Shark	Federal Permit Application for Vessels Fishing in the EEZ	2

Collection of information through annual vessel permits provides current information on the vessel owners participating in these fisheries, thus facilitating quota monitoring necessary to avoid exceeding catch quotas for tunas, swordfish and sharks and landings caps for marlins. For example, NMFS requires that vessel permits be displayed to dealers and that permit numbers be recorded on dealer reports in order to validate landings of bluefin tuna.

A current permit holder list aids NMFS in the communication of fishery regulations and distribution of management program brochures, fish identification guides, and regulatory compliance guides. In addition, a permit "universe" facilitates collecting catch and effort information about recreational fisheries, as required by law. NMFS constructs sample frames for dockside and telephone surveys from permit holder lists and uses the list to select vessels for logbooks and/or at-seas observers (addressed under separate collections). Such surveys, logbooks and observer reports provide essential information for management of the Atlantic tunas and HMS fisheries in the United States, particularly in terms of allocation decisions which follow ICCAT and MSFCMA recommendations, such as allocating fishing opportunities consistent with traditional fishing patterns and considering the economic values to various user groups. NMFS operates a mandatory angler catch reporting program for bluefin tuna (addressed under a separate collection) that is linked to the permit number to avoid false reporting and facilitates enforcement. Another purpose of the vessel permit requirement is that it serves as a useful tool in support of enforcement of fishery regulations. That is, the permit can be revoked as a penalty for a violation of fishery conservation measures. Often, this is a more effective tool than a monetary fine.

#### Dealer Permits

The general information collected for dealer applications includes all or some of the following information:

Business & Owner Name and Contact information (e.g. phone, address, business website, etc.), birthdate, and social security number;

Facilities where product is received or other business addresses/contact information

Applicant Name and contact information

Federal Tax I.D. number

Type of dealer permit requested

Other NMFS dealers permit identification  
Applicant Signature and date

In addition, the HMS ITP requires the following information:  
Company Dun & Bradstreet (D-U-N-S) Number

Application for all dealer permits requires submission of the appropriate hard-copy application indicated below. Copies of each application type are attached.

Dealer Permit Type	Reporting Instrument (Application Type)	Attachment Number
Atlantic Tunas Dealer	Initial Dealer Application	3
Swordfish and Shark Dealers	Federal Permit Application for Annual Dealer Permit	4
HMS ITP	NOAA HMS ITP	5

In general, the purpose and use of dealer permits is to (1) identify fish dealers and the characteristics of their operations; (2) exercise influence over compliance (e.g. impose permit sanctions pending collection of required reports or unpaid penalties); (3) provide a mailing list for the dissemination of important information to the industry; and (4) provide a universe for data collection samples.

Although the information collected is not expected to be disseminated directly to the public, it may be used in the development or review of fishery management plans, and is therefore subject to NOAA's Information Quality Guidelines. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See Item #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

Both telephone and internet automation is available for Atlantic tunas, HMS Charter/headboat, and HMS recreational vessel permits. These automated systems are available on a 7-day/24 hour basis, and are available at no additional charge to the permit holder beyond the cost of the permit (See Items #12 and #13 for relative costs). After an electronic application has been submitted, vessel owner can track the application process and permit status via the internet. Once application processing is complete, a permit can be printed off the website or faxed or mailed back to the vessel owner. Alternatively, hard copy applications for these permits can be obtained directly from the internet site or through the mail via an automated internet or phone request, and can be filled out by hand and submitted by mail. Automated information is available on a toll free telephone line (888-USA-TUNA).



All other permit applications must be submitted in hard copy. Electronic versions of the applications are available to be printed and filled out by hand or as form-fillable .pdf files.

For Atlantic Tunas Dealer Permits, providing a pre-filled renewal application facilitates renewal. Vessel permits for Atlantic tunas, HMS Charter/headboat, and HMS Recreational also provide a simpler opportunity for renewal by providing pre-filled fields for both internet and phone renewal.

#### **4. Describe efforts to identify duplication.**

The HMS Advisory Panel meets at least once per year to discuss issues pertinent to management of HMS fisheries, including permits. This panel includes representatives from fishing and processing industries, environmentalists, and state representatives. Through this forum and the federal rule-making process, information including any potential duplication of permitting requirements is identified.

##### Vessel Permits

No other Federally issued fishing permits are required for the activities covered by the permits in this collection. State permits may be necessary for fishing in some states' waters for certain species. HMS permitted vessels may participate in other federally regulated commercial fisheries (i.e., NE multi-species) for which permits are issued. NMFS is investigating means to consolidate the permitting process so that permits for multiple fisheries may be issued/renewed through a single application process (i.e., one stop shopping).

##### Dealer Permit

U.S. dealers involved in international trade for BFT in the past have been required to obtain an Atlantic Tunas Dealer Permit or Pacific Tuna Dealers Permit (Control No. 0648-0202). The HMS ITP will now cover these activities; the Atlantic Tunas Dealer Permit will cover only domestic dealers, and the Pacific Tuna Dealers Permit will be discontinued. The HMS ITP will also cover dealers who internationally trade in bigeye tuna and swordfish, in order to implement ICCAT's newly recommended statistical document programs for bigeye tuna and swordfish. The HMS ITP will replace the need for a Swordfish Dealer Permit (Control No. 0648-0205) for swordfish import. The Swordfish Dealer Permit will be necessary only for certain types of domestic swordfish transactions.

#### **5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Annual permitting does not have a significant impact on small businesses, organizations or government bodies. The minimal burden per application is outlined in Item #12. Impacts have been minimized for several vessel permits by providing application and renewal services over the internet and telephone, as discussed in Item # 2.

#### **6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If this information collection were not conducted, the United States would have difficulty in complying with international obligations under ICCAT, possibly resulting in violations of

ICCAT catch recommendations. ICCAT penalties may include reduction in the assigned country catch quota equal to a minimum of 125% of the excess harvest. In addition, trade restrictions may be imposed on countries that fail to restrict catch to the level of the assigned quotas. This is particularly important for those species for which an international rebuilding program is in place such as bluefin tuna, swordfish, and blue and white marlins.

Estimates of the status of the Atlantic HMS resources would be less accurate without this information, since all contracting parties to ICCAT must submit catch and effort information on an annual basis. Without such catch and effort statistics, the conservation and management objectives of ICCAT with respect to the tuna and swordfish rebuilding programs could be jeopardized. Furthermore, it would be difficult for the United States to formulate domestic policy consistent with the MSFCMA, which must be based on sound socio-economic and biological data and analyses. NMFS would be less able to prepare documents such as the Regulatory Impact Review, Environmental Impact Statement, etc., as required under the Magnuson-Stevens Act, National Environmental Policy Act, and other applicable laws.

Annual permitting thus provides a more accurate vessel list and facilitates quota monitoring and data collections necessary to meet ICCAT obligations. Widening the timeframe for collection of information on HMS fisheries participants (e.g. every two years rather than annually) would provide a less accurate sampling frame that is the basis for fleet size calculations used for annual catch and effort estimates. Many vessels change hands or are moved from year to year. It is also necessary to permit dealers annually in order to ensure accurate records of landings and to communicate regulatory changes efficiently and effectively.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

Collection of information will be made in a manner consistent with OMB guidelines.

**8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

No public responses regarding the reporting burden were received during the public comment period for this collection. The Federal Register notice requesting comment is attached (Attachment 9).

All of the permits covered under this collection were established via the federal rulemaking process, which required analyses of the impacts of the permits and provided an opportunity for public comment. In addition, a federal advisory committee (the HMS Advisory Panel) meets at least annually to provide input on HMS regulatory and operations programs.

The HMS Advisory Panel met most recently in March of 2005, and continues to support improved recreational monitoring as a high priority, which would not be possible without this collection.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

There are no payments or other remunerations to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

The information collected is confidential under section 402(b) of the Magnuson-Stevens Act (16 U.S.C. 1801, et seq.). It is also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

The Privacy Act does apply to this collection-of-information because the social security number is requested on a voluntary basis. The social security number is needed to avoid inappropriate release of data: to distinguish between same names; to ensure that the records go to the same person through the use of this personal ID; when there are several operators on a vessel owned by a different individual, to ensure that the confidential data of each operator is protected; with misspellings and possible duplications, to provide a unique identifier to find records in the database; and to prevent release of confidential data to the wrong person.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

The additional questions are not of a sensitive nature. This collection of information requests the social security number (see item 10).

**12. Provide an estimate in hours of the burden of the collection of information.**

Burden hours, number of respondents, and opportunity costs for each permit are given in the table below.

<b>Permit Type</b>	<b>Annual Respondents</b>	<b>Time per Response (hrs)</b>	<b>Annual Burden (hrs)</b>	<b>Cost (@\$15/hr)</b>
<b>VESSEL PERMITS</b>				
INITIAL -- Atlantic Tunas, HMS Charter/headboat	2221	0.5	1111	\$16,665
INITIAL - HMS recreational	7125	0.5	3563	N/A
RENEWAL -- Atlantic Tunas, HMS Charter/headboat	7882	0.1	788	\$11,820
RENEWAL - HMS recreational	25,266	0.1	2527	N/A
Shark and Swordfish	974	0.33	321	\$4815
<b>SUBTOTALS</b>	<b>43,468</b>		<b>8310</b>	

<b>DEALER PERMITS</b>				
INITIAL - Atlantic Tunas	58	.25	15	\$225
RENEWAL - Atlantic Tunas	451	.083	37	\$555
Shark and Swordfish	583	.083	48	\$720
HMS ITP	960	.083	80	\$1200
<b>SUBTOTALS</b>	<b>2,052</b>		<b>180</b>	
<b>TOTALS</b>	<b>45,520</b>	<b>N/A</b>	<b>8490</b>	<b>\$36,000</b>

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

<b>Permit Type</b>	<b>Annual Respondents</b>	<b>Estimated Permit Cost (\$)</b>	<b>Application Submission and/or Permit Delivery Cost</b>	<b>Total Recordkeeping and Reporting Cost</b>
<b>VESSEL PERMITS</b>				
Atlantic Tunas, HMS Charter/headboat, HMS recreational – internet application & self printed/faxed/mailed (99% of 42,494)	42,047	\$22	0	\$925,034
Atlantic Tunas, HMS Charter/headboat, HMS recreational – hardcopy application (1% of 42,494)	425	\$22	\$.50	\$956
Atlantic Tunas, HMS Charter/headboat, HMS recreational – overnight delivery (.05% of 42,494) <i>(subset of the 425 above)</i>	22	N/A	\$3.55	\$78
Shark and Swordfish	974	\$50	.50	\$49,187
<b>SUBTOTAL</b>				<b>\$975,255</b>
<b>DEALER PERMITS</b>				
Atlantic Tunas	509	0	.50	\$255
Shark and Swordfish	583	\$100	.50	\$58,592
HMS ITP	960	\$100	.50	\$96,480
<b>SUBTOTAL</b>				<b>\$155,327</b>
<b>TOTALS</b>	<b>45,520</b>			<b>\$1,130,582</b>

**14. Provide estimates of annualized cost to the Federal government.**

An administrative cost recovery fee will reimburse the cost of all these permits except the Atlantic tunas dealer permit, and there will be no cost to the Federal government. The estimated cost to the government of issuing each Atlantic Tunas Dealer Permit is \$33, for a total of \$16,797.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

Description	Change or Adjustment?	Number of Hours	Recordkeeping/Reporting Cost
Add Atlantic Tunas Dealer Permit	C	52	\$255
Add Shark & Swordfish Dealer Permits	C	48	\$58,592
Add Shark & Swordfish Vessel Permits	C	321	\$49,187
Increase number of vessel permits for Atlantic Tunas, HMS Recreational, & HMS Charter/headboat	A	3,321	\$294,966
<b>TOTAL</b>		<b>3,742</b>	<b>\$403,000</b>

The current recordkeeping/reporting costs were adjusted to correct previous calculation errors.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

No publication of information is planned other than annual summary tables of the total number and type of permit issued by state and. Such tables may appear in reports to ICCAT, Stock Assessment and Fishery Evaluation reports, Environmental Assessments, Regulatory Impact Reviews, etc.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The control number and expiration date for OMB approval are displayed on all hardcopy forms (applications and/or instructions) and under the permit information screen on the web site.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

This collection does not employ statistical methods.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.

## **List of Attachments**

1. Tuna & HMS vessel permit
2. Shark & SWO vessel permit
3. Atlantic Tuna dealer permit
4. Shark & SWO dealer permit
5. HMS ITP
6. ATCA
7. TCA
8. MSFCMA Act
9. FRN



Diane Hynek  
Departmental Paperwork Clearance Officer  
Department of Commerce  
Room 6625  
14<sup>th</sup> and Constitution Avenue, NW  
Washington, DC 20230

Re: Atlantic Highly Migratory Species Observer Notification Requirements

On behalf of Defenders of Wildlife and our 500,000 members and supporters, we would like to comment on the proposal to streamline the Atlantic Ocean's Highly Migratory Species' observer program published in the Federal Register on February 7<sup>th</sup>, 2005 (70 FR 24, 6418, Atlantic Highly Migratory Species Observer Notification Requirements). We believe any effort to reduce the data collected by observers or to reduce the frequency of reporting as a means of reducing paperwork would be highly detrimental to the effectiveness of the observer program and ocean conservation at large. While saving paper has its place, observer data from the Atlantic, Pacific, and elsewhere provides an enormously important tool for protecting the world's marine resources. Data from such programs improves our understanding of fisheries impacts on targeted stocks and ocean ecosystems, and contributes to the broader body of scientific knowledge about our world and the human impact upon it. In particular, vessel observer program for highly migratory species are often the primary means of collecting data on such species as sharks, tunas, and swordfish that are known to migrate across entire ocean basins. Vessel observer data plays a critical role in managing high seas fisheries. Rather than being weakened, observer programs should be bolstered to increase the information gained and the number of vessels covered.

*Information Collected is Essential to the Proper Function of the Agency*

According to the National Marine Fisheries Service, "NOAA Fisheries is dedicated to the stewardship of living marine resources through science-based conservation and management, and the promotion of healthy ecosystems."<sup>a</sup> The information collected through the NMFS' observer program is essential to NMFS' goal of science-based conservation and management.

As NMFS' recognized in the Federal Register Notice, observers collect information on species caught, catch disposition, gear, effort, and bycatch. This information is invaluable in developing stock assessments for targeted species, bycatch estimates for non-targeted and protected species such as critically endangered sea turtles, and for improving overall management of the fisheries. Frequently, observers provide critical information that normal fishing logs

**National Headquarters**  
1130 17<sup>th</sup> Street NW  
Washington, DC 20036  
Telephone 202-682-9400

Fax 202-682-1331  
[www.defenders.org](http://www.defenders.org)

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<sup>a</sup> Opening page, National Marine Fisheries Service website, <http://www.nmfs.noaa.gov>

would not normally record, such as sightings of right whales that could be used to warn fishermen of highly trafficked right whale areas in order to prevent ship-strikes. Observer programs are often the only way scientists and policy-makers can get the data they need to make informed decisions on how to sustainably manage the Atlantic fisheries.

### *Overfishing*

Resource managers face many challenges in determining the maximum sustainable yield for the species and stocks they manage. For marine species it is particularly difficult since scientists cannot just go out into the ocean and count every fish as is done with many terrestrial species. Observer data helps scientists determine both how many fish are being caught *and* how many fish are expected to still be swimming free, in order to determine the maximum sustainable yield and the level of current exploitation. It thus plays a fundamental role in assessing whether a particular stock is overfished.

At a time when the FAO estimates that 75% of fish stocks are fully exploited or overexploited and scientists estimate that large predatory fish have declined by 90% across vast regions of the oceans, such data is vitally needed to make informed and adequate conservation recommendations.

Managing stocks effectively requires very particular information not only the number of specimens caught, but also their size, their species, and sometimes their sex or manner of capture. While technology for monitoring fishing hauls is improving, it is far from a point where it can collect such data quickly and reliably. At the same time, fishermen may lack the time or training to collect comprehensive data, and may find it against their own interests to record data accurately and voluntarily. Until some new way of obtaining catch and interaction data is invented, observers remain the most reliable and unbiased sources of this crucial information. In addition, observer data allows fisheries and other marine scientists to extrapolate the size of the populations in question and determine the effect the fishing activities are having on the populations. The larger the data set, the closer the estimate will be to the actual status.

Overfishing is rampant throughout our world's oceans, but is especially apparent in the Atlantic. The decline of the Atlantic cod is well-known, and many other important species face a similar fate, including tuna, swordfish, and marlin. Already, stock assessments by NMFS and ICCAT are painting a grim picture. The West Atlantic Bluefin Tuna, East Atlantic Bluefin, North Atlantic Albacore Tuna, Atlantic Blue Marlin, Atlantic White Marlin, and West Atlantic Sailfish are all heavily overfished, with overfishing still ongoing.<sup>b</sup> North Atlantic Swordfish is also overfished, but overfishing is not occurring. And South Atlantic Swordfish are "fully fished" and overfishing may be occurring. With these stocks in such perilous levels, close monitoring of catch and bycatch of juvenile fish is more important than ever.

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<sup>b</sup> 2004 Stock Assessment and Fishery Evaluation Report for Atlantic Highly Migratory Species. Chapter 2: Stock Assessment Updates. [http://www.nmfs.noaa.gov/sfa/hms/Safe\\_Report/2004\\_SAFE\\_Chapter\\_2.pdf](http://www.nmfs.noaa.gov/sfa/hms/Safe_Report/2004_SAFE_Chapter_2.pdf)



## *Reducing Bycatch Should be the Priority, Not Reducing Administrative Burdens*

Observer data is key to understanding and preventing the incidental bycatch of non-target species such as cetaceans, sharks, and critically endangered sea turtles and seabirds. Observer data informs scientists which species are caught, how many, the geographical location of high and low bycatch, and which fisheries are most associated with the bycatch of particular species. This data is crucial to protecting the ecosystem as a whole, rather than just the targeted species. For example, observer data on bycatch is critical to understanding the population dynamics of endangered albatrosses and leatherback sea turtles that are at great risk from fisheries interactions.

Sharks are especially vulnerable to over-exploitation because they are top-level predators that often have small natural populations and low reproductive rates. Adequate management and conservation of shark populations in the Atlantic is a problem that needs to be addressed through increased observer coverage, not less. More stringent bycatch measures need to be put in place for the conservation of sharks. Observers are needed to ensure that future management measures and those already in place, such as the ban on shark finning in the Atlantic, are strictly adhered to. Similarly, for those fisheries that specifically target sharks, observer data is necessary to adequately assess the status of shark populations in order to set appropriately protective quota levels.

In its 2003 Highly Migratory Species Bycatch Reduction Plan, NMFS identified increasing observer coverage in pelagic longline, bottom longline, and shark gillnet fisheries as a priority issue to be addressed in fiscal year 2005. We urge you to follow through on this and other measures to strengthen observer programs.

## *Administrative Burdens*

Defenders does not believe that a two minute response time for vessel owners is overly onerous considering how important the information received is to the proper management of America's marine resources. NMFS requests comments on whether collecting information electronically provides a viable option for reducing paperwork while still gathering and keeping track of the same information that would have been collected through paper formats. We do not presently have the information necessary to assess this position. Recognizing the manifold ways in which the collection and management of electronic information can be compromised—whether through user error, machine failure or intentional interference—we urge you to undertake any such transition with extreme caution, to ensure that the potential for data loss is minimized.

## **Conclusion**

The observer program provides information critical to the effective management of our oceans. As marine resources continue to decline due to overfishing and bycatch, accurate data to assess and combat the situation is essential. This is especially true for highly migratory species such as tunas, swordfish, sharks, sea birds, sea turtles, and other marine wildlife that are especially vulnerable to heavy exploitation. While efforts to streamline observer programs to improve the collection and dissemination of data are welcome, NMFS should not compromise the integrity of those programs for the sake of modest savings in time or money. Observer data taken today

provides a stronghold for conserving our oceans in the future. As the momentum from the US Commission on Oceans Policy and Pew Ocean Commission reports drives us forward, we urge you to make conservation the priority instead of taking steps backwards in the name of reducing administrative “burdens.”

Sincerely,

Katherine B. Malsch  
International Conservation Associate



# NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION ATLANTIC TUNAS & ATLANTIC HIGHLY MIGRATORY SPECIES PERMIT APPLICATION



(READ INSTRUCTIONS PRIOR TO COMPLETING THE INITIAL APPLICATION)

## SECTION 1 – OWNER INFORMATION

Owner Type (choose one): ☐ Individual ☐ Partnership ☐ Corporation

Owner or Corporation Name (if more than one individual, circle name of primary contact): \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

## SECTION 2 – VESSEL INFORMATION

Vessel Name (if vessel is unnamed, write “unnamed”): \_\_\_\_\_

Coast Guard Documentation Number: \_\_\_\_\_ State Registration Number: \_\_\_\_\_

Home Port: \_\_\_\_\_ (City, State) Principal Port, if different: \_\_\_\_\_ (City, State)

Vessel Length: \_\_\_\_\_ (to nearest foot) Year Built: \_\_\_\_\_

Crew Size: \_\_\_\_\_ Construction: ☐ Wood ☐ Fiberglass ☐ Steel ☐ Other

Gross Tonnage: \_\_\_\_\_ Propulsion: ☐ Gasoline ☐ Diesel ☐ Other

Main Engine Horsepower: \_\_\_\_\_ Hold Capacity, if applicable: \_\_\_\_\_ (pounds)

Number of Passengers licensed to carry for Charter/Headboat: ☐ 6 or less OR Number, if more than 6: \_\_\_\_\_

## SECTION 3 – ATLANTIC TUNAS & HMS CATEGORY INFORMATION

### Category (check only one)

- ☐ Atlantic HMS Charter/Headboat.....  
☐ Atlantic HMS Angling (Recreational).....  
☐ Atlantic Tunas General.....  
☐ Atlantic Tunas Harpoon.....  
☐ Atlantic Tunas Longline.....  
☐ Atlantic Tunas Trap .....

### Primary Gear Type (check only one)

- ☐ Rod & Reel ☐ Handline ☐ Bandit gear  
☐ Rod & Reel ☐ Handline  
☐ Rod & Reel ☐ Handline ☐ Harpoon ☐ Bandit gear  
 (Harpoon only)  
 (Limited Access: Longline only)  
☐ Pound Net ☐ Fish Weir

**SECTION 4 – OWNER'S SIGNATURE** The undersigned is the owner or legally-authorized agent of the owner of the vessel named in Section 1 above. Issuance of a permit in one of the commercial categories (categories other than Angling) subjects a vessel to applicable requirements of the Fishing Vessel Safety Act of 1988 (46 CFR 25.28). Call the U.S. Coast Guard for details (see instructions for phone numbers).

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Print Name: \_\_\_\_\_

**SECTION 5 – PAYMENT/DELIVERY INFORMATION:** There is a \$22.00 fee for the Atlantic tunas & Atlantic HMS permits. Note delivery surcharge below. Mail this application and payment to: **NOAA, 21056 Network Place, Chicago, IL 60673-1210**

☐ Check if paying by money order (**payable to NMFS Permits**)

☐ Check if paying by credit card and fill out the information below:

Credit Card Type (check one): ☐ Visa ☐ MasterCard ☐ Discover ☐ American Express

Account Number: \_\_\_\_\_ Expiration Date (MM/YY): \_\_\_\_\_

Card Holder Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Billing address for credit card, if different than address above: \_\_\_\_\_ Date: \_\_\_\_\_

### **DELIVERY OPTIONS (CHECK ONE):**

☐ Send permit by Priority Mail at additional charge of \$3.90

☐ Fax permit to number indicated in Section 1

☐ Send permit by regular mail

☐ I will print my permit from the Internet once processed

## FEDERAL ATLANTIC TUNAS & ATLANTIC HMS CHARTER/HEADBOAT PERMIT APPLICATION INSTRUCTIONS

An Atlantic tunas permit is required to fish commercially for bluefin, yellowfin, bigeye, albacore, and skipjack tunas. An Atlantic HMS Angling permit is required for all owners/operators of recreational vessels fishing for and/or retaining regulated Atlantic Highly Migratory Species (Atlantic tunas, sharks, swordfish and billfish) in the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea. An Atlantic HMS Charter/Headboat permit is required for all charter or headboat vessels fishing for and/or retaining regulated Atlantic Highly Migratory Species in the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea. Please complete the attached application/renewal form and return to the address indicated at the bottom of the form. If your application/renewal, including payment, is complete, your permit will be mailed, faxed, or available to print (depending on your preferred delivery method) within 3 business days. Questions on the permit application/renewal process, call (888) 872-8862; for tuna fisheries regulations: (978) 281-9260; for Fishing Vessel Safety Act regulations: (617) 223-8315.

The following information is provided to help you complete the application/renewal form.

- A permit may be owned by more than one person, but the owner information should match the owner information on the vessel's state registration or U.S. Coast Guard documentation. If more than one person is listed, please indicate the person who will be the primary point of contact for the permit.
- If you would like your permit faxed, please indicate the appropriate fax number in Section 1 and select the fax option in Section 5. If you would like to print your permit from your printer via the Internet ([www.nmfspermits.com](http://www.nmfspermits.com)) once the permit is processed (approximately 3 business days), select the print option in Section 5.
- If your vessel is unnamed, write "unnamed" in the space for Vessel Name in Section 2.
- The vessel's home port refers to the port where the vessel is located for most of the year. The principal port refers to the port where the majority of the vessel's landings occur. The vessel's home and principal port may be different.
- If your vessel is constructed of more than one material, choose "other". Please check only one box.
- You do not need to submit copies of state registration or U.S. Coast Guard documentation as NMFS no longer requires submission of copies with the permit application. However, a copy of the vessel's valid U.S. Coast Guard documentation or, if not documented, a copy of its valid state registration must be carried on board the vessel and must match the information on the Atlantic tunas or Atlantic HMS permit.
- For vessels owned by a partnership or corporation, you do not need to submit a copy of the letter of partnership or articles of incorporation, but you are advised to maintain the corporate or partnership document in your files and must furnish the document to NMFS upon request.
- For Atlantic HMS Charter/Headboat permits, you do not need to submit a copy of a captain's license as NMFS no longer requires submission of a copy with the permit application. However, while persons aboard a vessel that has been issued an Atlantic HMS Charter/Headboat permit are fishing for or are in possession of Atlantic tunas, sharks, swordfish, and/or billfish, the operator of the vessel must have a valid Merchant Marine License or Uninspected Passenger Vessel License, issued by the U.S. Coast Guard; **this license must be carried on board the vessel.**
- Commercial vessels are subject to the Fishing Vessel Safety Act of 1988. For information, contact the U.S. Coast Guard office in your district:
 

Maine to New York	(617) 223-8315	South Carolina to Florida	(305) 415-6867
New Jersey to North Carolina	(757) 398-6304	Gulf of Mexico	(504) 589-6271
- You may select only ONE permit category. Changes to permit categories must be made prior to the start of the fishing year or when you renew your permit for a particular fishing year..

### **INFORMATION REGARDING CATEGORIES:**

**COMMERCIAL CATEGORIES:** Commercial size tuna taken under any of these categories may be sold.

Minimum sizes for sale: **Atlantic bluefin tuna:** ≥ 73 inches total curved fork length (CFL)

**Yellowfin and bigeye tuna:** ≥ 27 inches CFL    **Other tunas:** no minimum sizes

**ATLANTIC HMS CHARTER/HEADBOAT:** Owners of charter boats or headboats used to fish for, take, retain, or possess Atlantic tunas, sharks, swordfish, and billfish must obtain this permit. For bluefin tuna, anglers aboard Atlantic HMS Charter/Headboat-permitted vessels may collectively fish under either the Angling or General category daily retention limit, but not both on the same day. Commercial size tunas taken aboard vessels permitted in the Atlantic HMS Charter/ Headboat category may be sold to licensed dealers only. Authorized gear: rod & reel (including downriggers), handline, and bandit gear. For further information regarding Atlantic HMS Charter/Headboat permits please call the Northeast Regional Office HMS Division at (978) 281-9260.

**ATLANTIC TUNAS LONGLINE:** Vessel owners conducting longline operations that may result in the incidental taking of large medium and giant BFT or in the directed/incidental taking of other Atlantic tunas must obtain this permit. The number of Longline permits is LIMITED, i.e., a vessel owner seeking to obtain a Longline permit must obtain a Longline permit from a qualified permit holder. IMPORTANT: A total of 3 permits must be obtained to use longlines to fish for tunas: swordfish, shark, and tuna Longline permits. The shark and swordfish permits may be either directed or incidental. Directed swordfish and shark permits are subject to upgrading and ownership restrictions. For further information on swordfish and shark regulations, please call the Highly Migratory Species Management Division at (301) 713-2347. For information on transfer and upgrading procedures, please call the Southeast Regional Office Permits Division at (727) 570-5236. Authorized gear: longline only.

**ATLANTIC TUNAS TRAP:** Vessel owners who conduct trap operations that may result in the incidental taking of large medium and giant BFT must obtain this permit. Note that only one BFT per year may be retained. Authorized gear: pound nets and fish weirs.

**ATLANTIC TUNAS GENERAL:** Vessel owners who harvest Atlantic tunas, including large medium and giant BFT, by handgear and plan to sell the tuna must obtain this permit. Authorized gear: rod & reel (including downriggers), handline, harpoon, and bandit gear. For further information regarding General category regulations please call the Northeast Regional Office HMS Division at (978) 281-9260.

**ATLANTIC TUNAS HARPOON:** Vessel owners who conduct a commercial harpoon fishery for Atlantic tunas, including large medium and giant BFT, must obtain this permit. Vessels permitted in the Harpoon category may not participate in the General category fishery. For further information regarding Harpoon category regulations please call the Northeast Regional Office HMS Division at (978) 281-9260. Authorized gear: Harpoon only.

**RECREATIONAL CATEGORY.** Atlantic HMS taken under the Angling category size and retention limits MAY NOT be sold.

Minimum sizes for possession:

**Atlantic bluefin tuna:** ≥ 27 inches CFL

**Yellowfin and bigeye tuna:** ≥ 27 inches CFL

**Other tunas:** no minimum sizes

**Sharks:** ≥ 54 inches FL

**Swordfish:** ≥ 47 inches LJFL


**Blue marlin:** ≥ 99 inches LJFL

**White marlin:** ≥ 66 inches LJFL

**Sailfish:** ≥ 63 inches LJFL

**ATLANTIC HMS ANGLING:** Private recreational vessels used to fish for, take, retain, or possess Atlantic tunas, sharks, swordfish, and billfish must obtain this permit. All BFT must be reported within 24 hours of landing to NMFS by calling (888) 872-8862. Authorized gear: rod & reel (including downriggers), handline. For further information regarding Angling category permits please call the Northeast Regional Office HMS Division at (978) 281-9260.

**PAPERWORK REDUCTION ACT STATEMENT:** Collection of information through annual permitting serves three purposes: (1) it provides current information on the vessel owners participating in the Atlantic tuna fisheries; (2) it provides an up-to-date sampling frame that is the basis for fleet size calculations used for catch and effort estimates in fisheries that do not require mandatory reporting, thus enabling the U.S. to meet international obligations to report catch statistics for Atlantic tunas; and (3) aids NMFS in the enforcement of fishery regulations. Public reporting burden for this initial permit application of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completed & reviewing the collection of information. Permit renewals are accomplished by using an automated phone system at (888) 872-8862 or by accessing the web site at [www.nmfspermits.com](http://www.nmfspermits.com). Public reporting burden for renewal by telephone or web is estimated to average 6 minutes per response. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: National Marine Fisheries Service, F/SF1, 1315 East West Highway, Silver Spring, MD 20910. Providing the requested information in the permit application is mandatory for managing the Atlantic tuna fisheries in accordance with the Atlantic Tunas Convention Act (16 U.S.C. 971 et seq.) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). It is agency policy not to release confidential information, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting information. Summaries of permit information by category may be released. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. This is an approved information collection under OMB #0648-0327 and expires mm/dd/yyyy.

<b>FEDERAL PERMIT APPLICATION FOR VESSELS FISHING IN THE EXCLUSIVE ECONOMIC ZONE (EEZ)</b> U.S. DEPARTMENT OF COMMERCE, NOAA NMFS PERMITS TEAM, F/SER22 9721 EXECUTIVE CENTER DRIVE N. ST. PETERSBURG, FL 33702 727/570-5326 (8am - 4:30pm EST)								OMB Control No.: 0648-0487 Approval Expires: 04/30/2007 (Not Permit Expiration date)																																																																																							
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HOME PORT (CITY & STATE)				FUEL CAPACITY (Gal.)		YEAR BUILT		PASSENGER CAPACITY																																																																																							
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<b>SECTION 3 EARNED INCOME QUALIFYING OPERATOR (ONLY IF APPLICABLE)</b>																																																																																															
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<b>SECTION 5 RED SNAPPER CLASS 1 LICENSE TRANSFER INFORMATION</b>																																																																																															
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<b>SECTION 6 HISTORICAL CAPTAIN INFORMATION (GULF OF MEXICO CHARTER/HEADBOAT ONLY)</b>																																																																																															
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<b>SECTION 7 CORPORATE OWNED/PARTNERSHIP VESSEL INFORMATION</b>																																																																																															
If applying for a PERMIT and the vessel owner is a corporation or partnership, provide the names, addresses, and dates of birth of the shareholders or partners on the lines provided. If more space is needed, please attach an additional sheet of paper.																																																																																															
1. _____						2. _____																																																																																									
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<b>PERMIT(s) SELECTION AND ADDITIONAL INFORMATION ON REVERSE</b>																																																																																															
Page 1 of 6																																																																																															

This vessel is best described as: ☐ Charter (CH) ☐ Commercial (CM) ☐ Headboat (HB)

Select by letter up to 4 fisheries in which this vessel participates.  
List fisheries in the order of the value of fish sold.

- |                     |                     |                     |                    |
|---------------------|---------------------|---------------------|--------------------|
| 1. _____            | 3. _____            | 1. _____            | 3. _____           |
| 2. _____            | 4. _____            | 2. _____            | 4. _____           |
| a. Shrimp Trawl     | g. Surface Longline | a. Reef Fish        | f. Stone Crab      |
| b. Fish Trap/Pot    | h. Bottom Longline  | b. King Mackerel    | g. Spiny Lobster   |
| c. Gillnet          | i. Lobster Trap     | c. Shark            | h. Shrimp          |
| d. Reef Fish Bandit | j. Diver            | d. Spanish Mackerel | i. Other (specify) |
| e. Hand/Troll Line  | k. Other (specify)  | e. Swordfish/Tuna   | _____              |
| f. Rod & Reel       | _____               |                     |                    |

**\$50.00 FOR FIRST FISHERY SELECTED; \$20.00 FOR EACH ADDITIONAL FISHERY SELECTED.**

☐ SOUTH ATLANTIC CHARTER/HEADBOAT FOR COASTAL MIGRATORY PELAGIC (CHS) ☐ SOUTH ATLANTIC CHARTER/HEADBOAT SNAPPER-GROUPER (SC)

ATLANTIC DOLPHIN/WAHOO (CDW) CHARTER/HEADBOAT

☐ SPINY LOBSTER (LC) (Not required for the EEZ off Florida)
 ☐ SPINY LOBSTER TAILING (LT)
 ☐ SOUTH ATLANTIC ROCK SHRIMP (RS)
 ☐ ATLANTIC DOLPHIN/WAHOO (DW) COMMERCIAL
 ☐ SPANISH MACKEREL (SM)

RENEWAL	TRANSFER
<p>1. <b>RENEWAL</b></p> <p>2. <b>TRANSFER</b></p>	<p>1. <b>RENEWAL</b></p> <p>2. <b>TRANSFER</b></p>

GULF OF MEXICO CHARTER/HEADBOAT FOR COASTAL MIGRATORY PELAGIC (CHG)	<input type="checkbox"/>	<input type="checkbox"/>
GULF OF MEXICO CHARTER/HEADBOAT FOR REEF FISH (RCG)	<input type="checkbox"/>	<input type="checkbox"/>
HISTORICAL CAPTAIN GULF OF MEXICO CHARTER/HEADBOAT FOR COASTAL MIGRATORY PELAGIC (HCHG)	<input type="checkbox"/>	<input type="checkbox"/>
HISTORICAL CAPTAIN GULF OF MEXICO CHARTER/HEADBOAT FOR REEF FISH (HRCG)	<input type="checkbox"/>	<input type="checkbox"/>
KING MACKEREL (KM, KT)	<input type="checkbox"/>	<input type="checkbox"/>
GILLNET ENDORSEMENT FOR KING MACKEREL (GN, TGN)	<input type="checkbox"/>	<input type="checkbox"/>
GULF OF MEXICO REEF FISH (RR, RT, RRE, RTE)	<input type="checkbox"/>	<input type="checkbox"/>
RED SNAPPER CLASS 1 LICENSE (2000 lb) (L1, TL1)	<input type="checkbox"/>	<input type="checkbox"/>
RED SNAPPER CLASS 2 LICENSE (200 lb) (L2, TL2)	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH ATLANTIC ROCK SHRIMP ENDORSEMENT REQUIRED OFF FLORIDA/GEORGIA (RSE) (MUST ALSO HAVE OPEN-ACCESS ROCK SHRIMP PERMIT SELECTED ABOVE)	<input type="checkbox"/>	<input type="checkbox"/>
UNLIMITED SOUTH ATLANTIC SNAPPER-GROUPER EXCLUDING W RECKFISH (SG1, ST1, TSG1, TST1)	<input type="checkbox"/>	<input type="checkbox"/>
225 lbs. TRIP LIMIT SOUTH ATLANTIC SNAPPER-GROUPER EXCLUDING W RECKFISH (SG2, ST2, TSG2, TST2)	<input type="checkbox"/>	<input type="checkbox"/>
SWORDFISH DIRECTED (SFD, TSFD)	<input type="checkbox"/>	<input type="checkbox"/>
SWORDFISH HANDGEAR (SFH, TSFH)	<input type="checkbox"/>	<input type="checkbox"/>
SW ORDFISH INCIDENTAL (SFI, TSFI)	<input type="checkbox"/>	<input type="checkbox"/>
SHARK DIRECTED (SKD, TSKD)	<input type="checkbox"/>	<input type="checkbox"/>
SHARK INCIDENTAL (SKI, TSKI)	<input type="checkbox"/>	<input type="checkbox"/>

If you have an existing color code for any trap/pot fishery, list here.

**COLOR CODE:** \_\_\_\_\_

If no existing color code, insert choice (white is not an acceptable color code):

**Trap/Pot Information:** Gulf of Mexico Reef Fish (GOM), South Atlantic Snapper-Grouper (SA) or Stone Crab (CR) Fishery.

GOM			
No. of traps	Length x Width x Height (in.)	Mesh Sizes (in.)	
SA			
No. of pots	Length x Width x Height (in.)	Mesh Sizes (in.)	

**NOTE: Income qualifier as listed in Section 2 for owner/qualifier, must sign the application.**

The undersigned certifies that he/she (1) meets any applicable earned income requirement for a requested permit(s), as shown on the attached instructions; (2) if a shark permit is received, agrees that shark fishing, catch and gear are subject to the shark regulations at 50 CFR part 635.5, without regard to where such shark fishing occurs or where such shark or gear are possessed, taken or landed; and (3) if a spiny lobster tailing permit is requested, routinely conducts commercial fishing activity in Federal waters on trips of 48 hours or more and such fishing activity requires the separation of carapace and tail to maintain a quality product.

<b>Owner's Signature</b>	<b>Operator's Signature (if required)</b>	<b>Date</b>
<b>Name: (print legibly or type)</b>	<b>Position, if owner's a corporation/partnership:</b>	

## ACTIVITIES FOR WHICH PERMITS ARE REQUIRED

**GULF COASTAL MIGRATORY PELAGIC CHARTER** - For a person aboard a vessel that is operating as a charter vessel or headboat to fish or possess a coastal migratory pelagic fish in or from Federal waters in the Gulf of Mexico, a charter permit must be issued to the vessel and be on board. **Permits for Gulf coastal migratory pelagic charter are under a moratorium.** No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a permit, the original valid (not expired) permit must be returned with an application and applicable documents. **Permits must be renewed within one year of the expiration date.**

**GULF REEF FISH CHARTER** - For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess a reef fish in or from Federal waters of the Gulf of Mexico, a moratorium charter permit must be issued to the vessel and be on board. **Permits for Gulf of Mexico reef fish charter are under a moratorium.** No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a permit, the original valid (not expired) permit must be returned with an application and applicable documents. **Permits must be renewed within one year of the expiration date.**

**SOUTH ATLANTIC COASTAL MIGRATORY PELAGIC CHARTER OR SNAPPER-GROUPER CHARTER** - For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess a coastal migratory pelagic or snapper-grouper in or from Federal waters off the southern Atlantic states, a charter permit must be issued to the vessel and be on board.

**ATLANTIC DOLPHIN-WAHOO CHARTER VESSEL/HEADBOAT** - For a person aboard a vessel that is operating as a charter vessel/headboat to fish for or possess a dolphin-wahoo in or from Federal waters in the Atlantic, an Atlantic dolphin-wahoo charter vessel/headboat permit must be issued to that vessel. There are no earned income or landing requirements for this permit. An owner of a charter vessel/headboat who desires to sell dolphin is required to obtain a dolphin-wahoo commercial vessel permit (see below) in addition to the charter vessel/headboat permit. (The sale of wahoo harvested in the Atlantic EEZ by a vessel operating as a charter vessel/headboat is not allowed.)

**ATLANTIC DOLPHIN-WAHOO COMMERCIAL VESSEL** - A vessel must be issued an Atlantic dolphin-wahoo commercial permit to be eligible for exemption from the bag and possession limits for dolphin-wahoo in the Atlantic EEZ or to sell dolphin-wahoo harvested in the Atlantic EEZ. If the vessel has a Federal commercial permit issued by the Southeast Region, dolphin-wahoo will be added to the fisheries for which the permit is valid upon written request (do not use this application). There are no earned income or landing requirements for this permit.

**SPANISH MACKEREL** - For a person aboard a vessel in Federal waters to be eligible for exemption from the bag limits and to fish under a commercial allocation for Spanish mackerel, a commercial permit must be issued to the vessel and be on board. At time of application income criteria must be submitted. *If applying for a spanish mackerel permit, earned income or gross sales from one of three years prior to application must be submitted at time of application. See Earned Income or Gross Sales Requirements for Commercial Permits.*

**SPINY LOBSTER** - For a vessel fishing in Federal waters off states other than Florida to be exempt from the daily catch and possession limit, a commercial spiny lobster permit must be issued to the vessel and be on board. Florida's requirements apply to a vessel fishing in Federal waters off Florida. To possess a separated spiny lobster tail in or from Federal waters, a tail-separation permit must be issued to the vessel and be on board. *If applying for a commercial spiny lobster permit income from the previous calendar year must be submitted at time of application.*

**KING MACKEREL** - For a person aboard a vessel in Federal waters to be eligible for exemption from the bag limits and to fish under a commercial allocation for king mackerel, a commercial permit must be issued to the vessel and be on board. Permits for king mackerel are under a moratorium. No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a permit, the original valid (not expired) permit must be returned with the application and applicable documents. **Permits must be renewed within one year of the expiration date.**

**GILLNET ENDORSEMENT FOR KING MACKEREL** - For a person aboard a vessel in Federal waters to use a run-around gillnet for king mackerel in the southern Florida west coast subzone, a commercial permit for king mackerel with a gillnet endorsement must be issued to the vessel and be on board. Permits for gillnet endorsement for king mackerel are under a moratorium. No new vessel may be permitted except by transfer of a valid (not expired) permit. To transfer a permit, the original valid (not expired) permit must be returned with the application and applicable documents.

**GULF OF MEXICO REEF FISH** - As a prerequisite to sell reef fish in or from Federal waters and to be eligible for exemption from the bag limits, a commercial permit must be issued to the vessel and be on board. Permits for the reef fish fishery are under a moratorium. No new vessels may be permitted except by transfer of a valid (not expired) permit. To transfer a permit, the original valid (not expired) permit must be returned with the application and applicable documents. **Permits must be renewed within one year of the expiration date.**

**SOUTH ATLANTIC LIMITED ACCESS ROCK SHRIMP ENDORSEMENT** - For a person aboard a fishing vessel to fish for rock shrimp in Federal waters from the Virginia/North Carolina border to the East Coast of Florida, or possess rock shrimp in or from Federal waters, a vessel permit for rock shrimp must be issued to the vessel and be on board. However, to participate in that fishery off Georgia and the east coast of Florida, a limited-access endorsement for South Atlantic rock shrimp is required.

**SOUTH ATLANTIC SNAPPER-GROUPER EXCLUDING WRECKFISH** - For a person aboard a vessel in Federal waters to be eligible for exemption from the bag limits, to engage in a directed fishery for tilefish or to use a sea bass pot, a commercial permit must be issued to the vessel and be on board. Permits for the South Atlantic snapper-grouper fishery are under a moratorium. No new vessels may be permitted except by transfer of a valid (not expired) permits. A person desiring to acquire a limited access transferable permit for South Atlantic snapper-grouper must obtain and exchange two such permits for one new permit. The original valid (not expired) permits must be returned with the application and applicable documents. **Permits must be renewed within 60 days of the expiration date.**

**SHARK** - As a prerequisite to sell a shark in or from Federal waters and to be eligible for exemption from the bag limits, a commercial permit must be issued to the vessel and be on board. Permits for the shark fishery are under a moratorium. No new vessels may be permitted except by transfer of a valid (not expired) limited entry permit. To transfer a permit, the original valid (not expired) permit must be returned with the application and applicable documents. **Permits must be renewed within one year of the expiration date.**

**SWORDFISH** - To fish for or possess swordfish in or from the North Atlantic Ocean, or take swordfish as bycatch, whether or not retained, a commercial permit must be issued to the vessel and be on board. Permits for the swordfish fishery are under a moratorium. No new vessels may be permitted except by transfer of a valid (not expired) limited entry permit. To transfer a permit, the original valid (not expired) permit must be returned with the application and applicable documents. **Permits must be renewed within one year of the expiration date.**



## **INSTRUCTIONS** (Incomplete or illegible applications will be returned.)

1. Blocks in Sections 1, 2, 8, 9 and 11 must be completed or application will be returned.
2. The application fee is **\$50 for one fishery and \$20 for each additional fishery** and is **non-refundable**. A check or money order payable to the **U.S. TREASURY** must accompany each application.
3. Mail the application, legible copy of current Coast Guard Certificate of Documentation, front and back, or if the vessel is not U.S. Coast Guard documented, a legible copy of the state registration (no exceptions), check(s)/money order(s), and, if required, income tax forms/schedules or fish receipts, and, if vessel is owned by a corporation, a copy of the Articles of Incorporation (and any amendments) and a copy of the most current Annual Report (as filed with the state in which the business is incorporated) to: **NMFS (F/SER22), 9721 EXECUTIVE CENTER DRIVE N., ST. PETERSBURG, FL 33702**. Questions may be phoned to 727/570-5326 between 8 am - 4:30 pm EST. If you would like your permit and associated documents returned to you via overnight mail, enclose a **FEDERAL EXPRESS** air bill, complete with your delivery address (no PO Box numbers), telephone number, and your FEDEX account number or credit card number with expiration date.
4. If transferring a Gulf charter/headboat permit, a copy of the U.S. Coast Guard Operator of Uninspected Passenger Vessel license (commonly referred to as a 6-pack license) or a U.S. Coast Guard Masters license must be provided, along with any other requested information. A U.S. Coast Guard Certificate of Inspection must be provided if passenger capacity is greater than 6 passengers.
5. Each vessel issued a South Atlantic rock shrimp permit (regardless of whether or not issued the limited access endorsement), when at sea or offloading, is required to have on board at least one person who has a Federal operator permit card issued by the Southeast Regional Office.

***In accordance with Federal regulations, any change in your permit information must be reported to the NMFS Regional Administrator within 30 days of the change.***

**APPLICATION SECTION 1** Enter name, official number, and length of vessel as they appear on the Coast Guard documentation or, if not documented, on the state registration certificate. Under "Home Port", enter the city and state where the vessel is customarily kept, not necessarily the home port on a certificate of documentation. Provide the vessel length, engine horsepower, hold capacity (tons), and gross and net tonnage (if applicable) must be provided.

**APPLICATION SECTION 2** **When renewing, corrections should be made by drawing a line through any incorrect information and entering the correct information.** Enter the information of the person shown as the **"owner/qualifier"** from the U.S. Coast Guard documentation or, if not documented, from the state registration certificate. If more than one owner, please list additional owners in space provided for 2nd or 3rd owners. If additional space is needed, please attach an additional sheet of paper. If owner/qualifier is an individual, select the box marked date of birth and enter the Social Security number (taxpayer ID information). If the person shown as the **"owner"** is a corporation or partnership, enter the Federal Tax ID number (taxpayer ID information) and select the box with the date the corporation was filed or the partnership was formed. If a corporate owned vessel, submit the Articles of Incorporation (and any amendments) along with the other requested information. If the Articles of Incorporation are already on file, submit a copy of the most current Annual Business Report. If corporations are in an INACTIVE status, permits will not be issued.

**APPLICATION SECTION 3** Complete this section only when the OPERATOR meets the earned income requirement for commercial reef fish, king mackerel, Spanish mackerel, and/or commercial spiny lobster. The vessel operator must be on board for that permit to be valid.

**APPLICATION SECTION 4** Complete this section only when the vessel is being operated under a lease or other written management agreement that bestows control over the destination, function or operation of the vessel to a person other than the person shown in Section 2. Enter the date of expiration of the lease or written management agreement. If such lease or written management agreement exists, the controlling person is the owner for the purposes of the permit. Provide a copy of the signed (both parties) and dated lease agreement. We recommend that the lease agreement end at the end of a month.

**APPLICATION SECTION 5** Complete this section only when you are placing your red snapper Class 1 license on the vessel being permitted.

**APPLICATION SECTION 6** Complete this section if you are an historical captain under the Gulf of Mexico charter/headboat vessel moratorium. You must provide a copy of U.S. Coast Guard Operator of Uninspected Passenger Vessel license (commonly referred to as a 6-pack license) or a current copy of the U.S. Coast Guard Masters license. If the passenger capacity is larger than a 6-pack, a current copy of U.S. Coast Guard Certificate of Inspection must also be provided.

**APPLICATION SECTION 7** Complete this section if vessel is corporate-owner or partnership-owned.

**APPLICATION SECTION 8** The information in this section is a data collection requirement and must be completed or application will be returned.

**APPLICATION SECTION 9** Select only those fisheries that are required and for which the owner/shareholder/operator qualifies, specifically including any applicable earned income requirement. Each permit obtained require additional reporting, including a daily fishing vessel logbook record. **For renewal of applications or transfers, no permit(s) will be issued until all required logbook reports have been received in the NMFS logbook office in Miami, FL (305/361-4581; FAX 305/361-4460).**

**APPLICATION SECTION 10** Complete this section only if you fish with traps/pots in the reef fish fishery of the Gulf of Mexico or the snapper-grouper fishery off the southern Atlantic states. **A separate check or money order for trap/pot tags (\$1.30 per tag) payable to FLOY TAG INC. is required for use in the reef fish and snapper-grouper fisheries.** Tags will be mailed directly to you from Floy TagInc., and will not be sent with the permit package.

**APPLICATION SECTION 11** The application must be signed by the vessel owner or vessel lessee, and also the vessel operator if earned-income qualifying. Applications for permits requiring earned income must be signed by the qualifying applicant, i.e., the vessel owner/qualifier/vessel lessee, an officer or shareholder of a corporate-owned vessel, a general partner of a partnership-owned vessel, the operator, or the vessel lessee.

## **TRANSFERS**

1. If applying for a TRANSFER of a GULF OF MEXICO REEF FISH, KING MACKEREL, or GILLNET ENDORSEMENT FOR KING MACKEREL PERMIT, please provide the following information:

2. New owners of Limited Access/Moratorium permits must meet the earned income requirement not later than the first full calendar year after the issuance of the permit.

- **Transfer of Gulf of Mexico Reef Fish, King Mackerel, or Gillnet Endorsement for King Mackerel Permit - Same Owner:** An owner of a permitted vessel may transfer the vessel permit to another vessel owned by same owner by returning the original permit with an application for a vessel permit for the replacement vessel.
- **Transfer of Gulf of Mexico Reef Fish or King Mackerel Permit - New Owner:** A person purchasing a vessel with a permit or purchasing a permit only may transfer the permit, **if the permit has not expired**, and renew it for the first calendar year after the purchase without meeting the earned income requirement, provided the previous owner (not operator) met that requirement. To transfer, original permit with valid (not expired) expiration date, signatures of all parties on back of permit, and a copy of the vessel documentation or state registration must accompany a completed application.
- **Transfer of Gillnet Endorsement for King Mackerel Permit - New Owner** - This permit may be transferred upon change of ownership of a permitted vessel with such endorsement from one to another of the following: husband, wife, son, daughter, brother, sister, mother, or father.

2. If applying for a TRANSFER of Red Snapper License, please provide the following information:

- **Transfer of Red Snapper Class 1 or Class 2 Licenses - Same Owner:** To transfer license to same owner, different vessel, no signatures are required. You must submit original permit, written request, and a \$50 check/money order as to where you want to transfer permit.
- **Transfer of Red Snapper Class 1 or Class 2 Licenses - New Owner** - If transferring to a new owner, original permit with signatures on back, written request if vessel currently holds existing permits. If vessel does not hold a current permit, must submit an application, original permits with signatures on back, copy of current CG Documentation or State Registration.
- **Red Snapper Class 1 License Placement:** If individual is placing their Class 1 Red Snapper license on a boat that already holds Federal permits, they need to send a written request, and the original Red Snapper license. If individual is placing their Class 1 Red Snapper license on a vessel owned by another entity, they must submit an application, check/money order, vessel Coast Guard Documentation or State Registration of vessel owner, and original permit.

3. If a qualified applicant wishes to TRANSFER the rights of a LIMITED ACCESS ATLANTIC ROCK SHRIMP ENDORSEMENT

- **Transfer of Rock Shrimp Endorsement - New Owner** - If transferring to a new owner, must submit an application if vessel holds no other permits, copy of U.S. Coast Guard Documentation (or State Registration, if not documented), original endorsement with signatures on back, and check/money order. If vessel owner already holds other permits, a written request, original endorsement and check/money order must be submitted for transfer.
- **Transfer of Rock Shrimp Endorsement - Same Owner** - If transferring rights to same owner different vessel and vessel already holds permits, you must submit a written request, original permit, and check/money order. If vessel holds no permits, an application, you must submit a copy of the U.S. Coast Guard documentation (or state registration, if not documented), original endorsement, and check/money order.

4. If applying for a TRANSFER of a SOUTH ATLANTIC SNAPPER-GROUPER PERMIT, please provide the following information:

- **Transfer of Unlimited Permit - Same Owner:** An owner of a permitted vessel may transfer the vessel permit to another vessel owned by the same owner by returning the original permit with an application for a vessel permit for the replacement vessel.
- **Transfer of Unlimited Permit - New Owner:** A person desiring to acquire a limited access transferable permit for South Atlantic snapper-grouper permit must obtain and exchange two such permits for one new permit. The two original permits with **valid (not expired) (not expired) expiration date**, signatures of both parties on back and a copy of the vessel documentation or state registration must accompany a completed application.
- **Transfer of 225-pound Trip Limit Permit - Same Owner:** An owner of a vessel with a trip limit permit may request that the RA transfer the permit to another vessel owned by the same entity by returning the original permit with an application for a vessel permit for the replacement vessel.
- **Transfer of 225-pound Trip Limit Permit New Owner:** The permit is not transferable to a new owner. Can be transferred to different vessel same owner.

5. If applying for a TRANSFER of a Atlantic SHARK or SWORDFISH PERMIT, please provide the following information:

- **Transfer of Permit - Same Owner:** An owner of a permitted vessel may transfer the vessel permit to another vessel owned by same owner by returning the original permit with an application for a vessel permit for the replacement vessel. Such transfers would be subject to upgrading restrictions: **for swordfish handgear or swordfish and shark directed permits (cannot exceed 10% increase in length, gross or net tonnage and 20% increase in horsepower of initial vessel.** Swordfish handgear permits are transferable, but only for use with handgear.
- **Transfer of Permit - New Owner:** A person purchasing a vessel with a permit or purchasing a permit only may transfer the permit. To transfer, original permit with valid (not expired) expiration date, signatures of both parties on back of permit, and a copy of the vessel documentation or state registration must accompany a completed application. Such transfers would be subject to upgrading restrictions: **for swordfish handgear or swordfish and shark directed permits (cannot exceed 10% increase in length, gross or net tonnage and 20% increase in horsepower of initial vessel.** Swordfish handgear permits are transferable, but only for use with handgear.

6. If applying for a TRANSFER of a GULF COASTAL MIGRATORY PELAGIC CHARTER or GULF REEF FISH CHARTER permit, please provide the following information:

- **Transfer of Gulf Coastal Migratory Pelagic Charter or Gulf Reef Fish Charter Permit - Same Owner** - An owner of a permitted vessel may transfer the vessel permit to another vessel owned by the same entity by returning the original permit with an application for a vessel permit for the replacement vessel.

- **Transfer of Gulf Coastal Migratory Pelagic Charter or Gulf Reef Fish Charter Permit - New Owner** - A person purchasing a vessel with a permit or purchasing a permit only may transfer the permit, **if the permit has not expired**. To transfer, **original permit with valid (not expired) expiration date**, signatures of **all** parties on back of permit, and a copy of the vessel documentation or state registration, U.S. Coast Guard Operator of Uninspected Passenger Vessel license (commonly referred to as a 6-pack license) or a U.S. Coast Guard Masters license, and copy of the vessel documentation or state registration must accompany a completed application
- **Transfer of Historical Captain for Coastal Migratory Pelagic Charter or Gulf Reef Fish Charter** - A person with a historical captain endorsement may only transfer to another vessel that he/she operates, and cannot be transferred to a vessel with a higher authorized passenger capacity than the vessel from which the permits was transferred. To transfer, **original permit with valid (not expired) expiration date**, copy of his/her U.S. Coast Guard Operator of Uninspected Passenger Vessel license (commonly referred to as a 6-pack license) or a USCG Masters license, and copy of the vessel documentation or state registration must accompany a completed application.

**NOTE:** Upon transfer of a Gulf of Mexico moratorium Coastal Migratory Pelagics charter/headboat permit and/or Gulf of Mexico moratorium Reef Fish charter/headboat permit, the Federal charter/headboat **decal must be removed** from your vessel.

**EARNED INCOME OR GROSS SALES REQUIREMENTS FOR COMMERCIAL PERMITS**

	KING & SPANISH MACKEREL	REEF FISH (GULF OF MEXICO)	SPINY LOBSTER
Percentage of earned income	At least 25%	More than 50%	At least 10%
Gross sales alternative	More than \$10,000 in sales of fish	N/A	N/A
Source of earned income	Commercial, charter, or headboat	Commercial, charter, or headboat	Sale of catch
Time frame for qualification	One of three years prior to application	Either of two years prior to application	Year prior to application

The following fisheries do not require any earned income:  
Gulf of Mexico/South Atlantic Coastal Migratory Pelagic Fish Charter  
Gulf of Mexico Reef Fish Charter/Headboat  
South Atlantic Charter for Snapper-Grouper  
Spiny Lobster Tailing  
South Atlantic Rock Shrimp  
South Atlantic Unlimited Snapper-Grouper excluding Wreckfish  
South Atlantic 225 lb. Trip Limit Snapper-Grouper excluding Wreckfish  
Red Snapper Class 1 or Class 2  
Swordfish  
Shark

Documentation of earned income must include the following information: all wages or salaries earned by the applicant; any business income or loss and type of business of the applicant; gross sales from fishing of a sole proprietorship business of the applicant; and net profit or loss from fishing of a sole proprietorship business of the applicant. The documentation must specify the calendar year for which it applies. Instead of the individual items of information specified above, the applicant may submit copies of those portions of the individual's income tax return that show those items, i.e., Pages 1 & 2 of Form 1040, W-2(s), Schedule C(s) and, if applicable, Schedule E.

For a corporation/partnership owned vessel, percentage of earned income requirement must be met by an officer or shareholder of the corporation, a general partner or the vessel operator. When an officer/shareholder/partner documents his/her earned income from fishing, the corresponding corporate or partnership documented income, including shareholder's share of income and copy of Articles of Incorporation, must be submitted. The documentation must specify the calendar year for which it applies. Instead of these individual items of information, the officer/shareholder/partner may submit copies of his/her individual income tax return and the corresponding corporate or partnership income tax return, including Schedule K-1.

If using gross sales alternative, the applicant must submit copies of receipts indicating sales of fish harvested from the owner's, operator's, corporation's or partnership's vessel for a specified year (copy of Salt Water Products License (SPL) must be submitted). Instead of such receipts, the applicant may submit copies of those portions of the individual/corporation income tax return that show this information, i.e., Pages 1 & 2 of Schedule C, C-EZ, Form 1120, 1120A, 1120S or 1065.

Previously submitted documentation that meets the time frame for qualification need not be resubmitted. Renewal of a permit that was issued based on the earned income of an operator must be accompanied by new documentation of earned income when a new or additional operator meets the requirements. Copies of income tax forms and schedules and all information submitted for documentation or earned income from fishing or gross sales of fish are treated as confidential.

**KNOWINGLY SUPPLYING FALSE INFORMATION OR WILLFULLY OVERVALUING ANY FISHING INCOME FOR THE PURPOSE OF OBTAINING A PERMIT IS A VIOLATION OF FEDERAL LAW PUNISHABLE BY A FINE AND/OR IMPRISONMENT.**

Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to Robert A. Sadler, National Marine Fisheries Service, F/SER22, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources. The data reported will be used to develop, implement, and monitor fishery management activities for a variety of other uses. Responses to this collection are required to obtain or retain a fisheries permit under the Magnuson - Stevens Act. The following non-confidential information: Name, Street Address, City, State, Zipcode, Effective Date of Permit, Permit Types, Vessel Name, Vessel Identification Number, and Passenger Capacity in the case of a "for hire" vessel for individual, corporate and lease holders of permits will be released via a NOAA Fisheries website. All other data submitted will be handled as confidential material in accordance with NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.



United States Department of Commerce  
National Oceanic & Atmospheric Administration  
Fisheries Statistics Office/Northeast Permits Operations  
One Blackburn Drive  
Gloucester, MA 01930-2298

## Federal Northeast Seafood Dealer Initial Dealer Permit Application

### SECTION 1 - DEALER INFORMATION

Southeast Dealer # (if available) \_\_\_\_\_

Company name: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State : \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

\*\*Vessel Name: \_\_\_\_\_ \*\*Vessel Hull Number: \_\_\_\_\_

\*\*(must enter vessel name and hull number above if applying for Atlantic Mackerel at Sea Processor or Atlantic Herring Processor, if herring processing will be done aboard a vessel)

If regulated species are purchased or received for commercial purposes at more than one place of business, each address must be listed. List those additional addresses on the back of this form in Section 1A.

### SECTION 2 - FISHERIES

Select the fisheries desired by placing an (X) in the boxes provided. Select all fisheries that apply.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Atlantic bluefin tuna  | <input type="checkbox"/> Northeast multispecies                  | <input type="checkbox"/> Scup              |
| <input type="checkbox"/> Other Atlantic Tunas<br>(Yellowfin, Bigeye, Skipjack,<br>Albacore) | <input type="checkbox"/> American lobster                        | <input type="checkbox"/> Black sea bass    |
| <input type="checkbox"/> Surfclam/Ocean quahog - Dealer                                     | <input type="checkbox"/> Skate                                   | <input type="checkbox"/> Monkfish          |
| <input type="checkbox"/> Surfclam/Ocean quahog - Processor                                  | <input type="checkbox"/> Atlantic mackerel at sea<br>processor** | <input type="checkbox"/> Atlantic bluefish |
| <input type="checkbox"/> Summer flounder  | <input type="checkbox"/> Atlantic herring - Processor**          | <input type="checkbox"/> Spiny Dogfish     |
| <input type="checkbox"/> Atlantic sea scallop   | <input type="checkbox"/> Squid, Atlantic mackerel, butterfish    | <input type="checkbox"/> Tilefish          |
|   | <input type="checkbox"/> Atlantic herring - Dealer               | <input type="checkbox"/> Red Crab          |

\*\* (see note in in Section 1)

### SECTION 3 - OWNER'S NAME AND SIGNATURE

I affirm, subject to the penalties provided in 18 USC 1001, that all information I have given in obtaining this permit is true and correct.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

SECTION 1A - ADDITIONAL DEALER INFORMATION. If regulated species are purchased or received for commercial purposes at more than one place of business, each address must be listed below.

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

COMPANY ADDRESS:

STREET: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COMPANY TELEPHONE: \_\_\_\_\_

**For further information, call Northeast Permits Operations at (978) 281-9370**

The information requested on this form is not confidential and will be available to the general public.

The Paperwork Reduction Act requires potential respondents for a dealer/processor permit be notified of certain information regarding their rights and the burden associated with applying for a Federal dealer/processor permit. One of the regulatory steps taken by the National Marine Fisheries Service (NMFS) to carry out conservation and management objectives is the requirement of a permit for users of the resources. All the fisheries included on this application require a permit to purchase, or otherwise receive for transport, species harvested by the owner or operator of a fishing vessel issued a Federal fisheries permit for these species. Section 303(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) specifically recognizes the need for permit issuance.

The purpose and use of permits is to: (1) register fish dealers and processor, (2) list the characteristics of dealer/processor operations, (3) exercise influence over compliance (e.g. withhold issuance pending collection of unpaid penalties), (4) provide a mailing list for the dissemination of important information to the industry, (5) provide a universe for data collection samples, and (6) obtain first purchase information on landings to evaluate the biological, economic and social implications of management measures.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: National Marine Fisheries Service, Permit Office, One Blackburn Drive, Gloucester, MA 01930-2298.



**NATIONAL MARINE FISHERIES SERVICE**  
Northeast Regional Office / Fisheries Statistics Office



**Application Instructions**  
Year 2004 Federal Fisheries Dealer Permit

Mail the completed application packages to: National Marine Fisheries Service (NOAA Fisheries), Northeast Permits Operations, 1 Blackburn Drive, Gloucester, MA 01930-2298. **Note:** There is a 30-day processing period for all application packages. This 30-day processing period begins when a **correct and complete** application package is received in the NMFS Northeast Permits Operations Office.

- **Section 1 - Dealer Information** The application form is partially completed for you. Review the dealer information placed in Section 1 to ensure it is correct. Make any corrections on the lines provided. It is important to include your Southeast Dealer Permit Number in Section 1 if you have been issued a dealer permit by the Southeast Region of NMFS.
- **Section 1A - Additional Dealer Information** You must provide the address of each place of business where you purchase or receive the regulated species for commercial purposes. Space is available on the back of the dealer permit form for the required listing of those additional addresses.
- **Section 2 - Selected Fisheries** If not already marked, place an 'X' next to each of the fisheries for which you are requesting a Federal Fisheries Dealer Permit.
- **Corporations and Partnerships** All dealer corporations must submit **once** a copy of the certificate of incorporation, showing officers and shareholders owning 25% or more of the shares of the corporation. In addition, **each year** the corporation must submit current information listing all current officers, along with their addresses, and shareholders owning 25% or more of the shares of the corporation, along with their addresses. If your business is a partnership, you must submit a copy of the partnership agreement **once**. In addition, **each year** the partnership must submit the names and addresses of all current partners. Failure to provide this information will delay processing of your dealer permit.
- **Dealer Reports** An application is complete when all requested forms, information, and documentation have been received, and the applicant has submitted all applicable reports specified in the Federal regulations including dealer electronic weighout reports and processed products reports [CFR § 648.7 and § 635.5]. All dealers must submit detailed purchase reports electronically, with the exception of dealers holding only a federal Northeast dealer permit for American lobster and/or Atlantic tunas. Atlantic tuna dealers who purchase or receive bluefin tuna have separate reporting requirements. Processors who have processor or dealer permits must complete and submit to NOAA Fisheries an annual processed products report.

Electronic dealer reports must contain all species, including, but not limited to, all Northeast managed species, as well as all tunas, sharks and swordfish. Failure to submit the reports required under either CFR § 648.7 or § 635.5 may bar issuance of any Northeast dealer permit (except for American lobster). In addition, failure to report in an accurate and timely fashion may result in enforcement action being taken. If you have any questions concerning your compliance with the reporting regulations for Northeast managed species [CFR § 648.7], please contact your local NMFS Field Office (list enclosed). Questions concerning reporting for bluefin tuna [CFR § 635.5], should be directed to the Highly Migratory Species Office at (978) 281-9140.

- **Section 3 – Applicant’s Signature** Before mailing, carefully review the application form for accuracy and completeness. Sign and date the application in Section 3 and return it to the following address.



U.S. DEPARTMENT OF COMMERCE, NOAA  
NMFS PERMITS TEAM, F/SER22  
9721 EXECUTIVE CENTER DRIVE N.  
ST. PETERSBURG, FL 33702  
727/570-5326 (8am - 4:30pm EST)

OMB Control No.: 0648-0487  
Approval Expires: 04/30/2007  
(Not Permit Expiration Date)

FEDERAL PERMIT APPLICATION FOR ANNUAL DEALER PERMIT

	FOR OFFICE USE ONLY	
	CHECK/MONEY ORDER INFO:	
	EXP. DATE:	REVIEWER'S INITIALS:
	VIOLATION #/DATE:	CLEARED DATE/INITIALS:

PLEASE READ INSTRUCTIONS ON REVERSE

SECTION 1 DEALER/BUSINESS INFORMATION (please print legibly or type)

BUSINESS NAME	FEDERAL ID NO.	DATE BUSINESS FORMED	MONTH	DAY	YEAR
MAILING ADDRESS		AREA CODE/PHONE NO.			
CITY		STATE	ZIP CODE		

SECTION 2 LIST THE FACILITIES WHERE FISH ARE RECEIVED (if different from Section 1)

BUSINESS NAME	AREA CODE/PHONE NO.				
ADDRESS					
#)CITY	STATE		ZIP CODE		
BUSINESS NAME	AREA CODE/PHONE NO.				
ADDRESS					
CITY	STATE		ZIP CODE		

SECTION 3 APPLICANT INFORMATION

NAME	POSITION	TAXPAYER ID NUM. (SOCIAL SECURITY # OR FED ID #) IF DIFFERENT FROM SECTION 1			
ADDRESS					
CITY		STATE	ZIP CODE		
AREA CODE/PHONE NO.	DATE OF BIRTH:	MONTH	DAY	YEAR	

SECTION 4 SELECT TYPE OF DEALER FISHERY(IES)

\$100.00 FOR THE FIRST FISHERY SELECTED; \$25.00 FOR EACH ADDITIONAL FISHERY SELECTED

☐ GOLDEN CRAB (South Atlantic) (GC)

☐ REEF FISH (Gulf of Mexico) (RD)

☐ ROCK SHRIMP (South Atlantic) (RS)

☐ SNAPPER-GROUPER EXCLUDING WRECKFISH (South Atlantic) (SG)

☐ SHARK (SH)

☐ SWORDFISH (SD)

☐ WRECKFISH IN SOUTH ATLANTIC ONLY (WD)

☐ ATLANTIC DOLPHIN/WAHOO(DWD)

IF YOU ARE APPLYING FOR SWORDFISH and/or SHARK, and the dealer/business is a corporation or partnership, provide names, mailing addresses and dates of birth of the two principal shareholders or partners on the lines provided below.

1. \_\_\_\_\_

2. \_\_\_\_\_

SECTION 5 PROVIDE INFORMATION CONCERNING OTHER LICENSE(S)

If you have a Northeast Region dealer permit, provide the number:

List all dealer license number(s) along with the state: 1.	2.	3.	4.
--	----	----	----

SECTION 6 APPLICANT SIGNATURE

SIGNATURE:	DATE:
NAME: (print legibly or type)	



ACTIVITIES FOR WHICH PERMITS ARE REQUIRED

DOLPHIN/WAHOO (Atlantic)	Under 50 CFR 622. , a dealer who received Atlantic dolphin/wahoo harvested in the EEZ off the Atlantic states must obtain an annual dealer permit.
GOLDEN CRAB (South Atlantic)	Under 50 CFR 622.4, a dealer who receives South Atlantic golden crab harvested in the EEZ off the Southern Atlantic states must obtain an annual dealer permit.
REEF FISH (Gulf of Mexico)	Under 50 CFR 622.4, a dealer who receives reef fish harvested from the EEZ of the Gulf of Mexico must obtain an annual dealer permit.
ROCK SHRIMP (South Atlantic)	Under 50 CFR 622.4, a dealer who receives rock shrimp harvested in the EEZ off the Southern Atlantic states must obtain an annual dealer permit.
SNAPPER-GROUPER (South Atlantic)	Under 50 CFR 622.4, a dealer who receives <b>South Atlantic</b> snapper-grouper, excluding wreckfish, harvested in the EEZ off the Southern Atlantic states must obtain an annual dealer permit.
SHARK	Under 50 CFR 635.5, a dealer who receives sharks from the Western North Atlantic Ocean including the Gulf of Mexico and the Caribbean Sea must obtain an annual dealer permit.
SWORDFISH	Under 50 CFR 635.5, a dealer who receives a swordfish harvested from the North Atlantic swordfish stock, or who imports swordfish harvested from any ocean area, must obtain an annual dealer permit.
WRECKFISH (South Atlantic)	Under 50 CFR 622.4(a)(4), a dealer who receives a wreckfish harvested from the <b>South Atlantic</b> must obtain an annual dealer permit.

INSTRUCTIONS

1. Mail the completed application, copy of state wholesaler’s license (not required for swordfish importer), and a check or money order to: **National Marine Fisheries Service (F/SER22), 9721 Executive Center Drive N., St. Petersburg, FL 33702.** Questions may be phoned to 727/570-5326 between 8am - 4:30pm EST. If you would like your permit and associated documents returned to you via overnight mail, enclose a **FEDERAL EXPRESS** air bill, complete with your delivery address, telephone, and your FEDEX account number or credit card number. If owner/qualifier is an individual, enter the Social Security Number (under Taxpayer Identification number) under Sections 1 and 3. If the person shown as the “**owner**” is a corporation or partnership, enter the Federal ID number (under Taxpayer Identification number) under Sections 1 and 3.

**State’s required to submit wholesale license:** Alabama, California, Florida, Georgia, Louisiana, Massachusetts, Maryland, Maine, Pennsylvania, Rhode Island, South Carolina, Texas, and Virgin Island.

2. The application fee is **\$100** for the first fishery and **\$25** for each additional fishery and is **non-refundable**. A check or money order payable to the **U.S. TREASURY** must accompany each application. The fee for a replacement permit is **\$18**. Complete all lines or sections that apply for the type(s) of fishery(ies) requested. **Certain fisheries require mandatory reporting requirements.**

**In accordance with Federal regulations, any change in your permit information must be reported to the NMFS Regional Administrator within 30 days of the change.**

**SECTION 1** Print or type the name of business and address as shown on your business license. If the dealership is corporate owned, submit ACTIVE Articles of Incorporation if a new business, if already established, a copy of the Annual Business Report must be provided. If corporation is in an INACTIVE status, permits will not be issued. Print or type the number assigned to your firm by the Internal Revenue Service, if one has been assigned.

**SECTION 2** Location of facilities where fish are received. If different from Section 1, provide the address of each facility at a fixed location where the business receives fish. We cannot accept a Post Office Box address.

**SECTION 3** Print or type the name, address, telephone, and date of birth of the person that is applying for the permit. Indicate the applicant’s position in the firm.

**SECTION 4** Select only those fisheries that are required. **For renewal of applications, no permit(s) will be issued until all required logbook reports have been received in Miami.**

**SECTION 5** Provide information concerning other license(s). If you have a Northeast Region dealer permit, provide the number and list all dealer license number(s) along with the state.

**SECTION 6** The application must be signed by the applicant in appropriate blocks or application will be returned.

**KNOWINGLY SUPPLYING FALSE INFORMATION FOR THE PURPOSE OF OBTAINING A DEALER PERMIT IS A VIOLATION OF FEDERAL LAW PUNISHABLE BY A FINE AND/OR IMPRISONMENT.**

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Robert A. Sadler, Southeast Regional Office, National Marine Fisheries Service (F/SER22), 9721 Executive Center Drive N., St. Petersburg, FL 33702.

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources. The data reported will be used to develop, implement, and monitor fishery management activities for a variety of other uses. Confidential name and address information will be released via a NOAA Internet website for informational purposes. All other data submitted will be handled as confidential material in accordance with NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.



**NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
HIGHLY MIGRATORY SPECIES  
INTERNATIONAL TRADE PERMIT**

*(READ INSTRUCTIONS PRIOR TO COMPLETING THE INITIAL APPLICATION)*



**SECTION 1 - DEALER/BUSINESS INFORMATION**

Business Name		Federal ID No.		Date Business Formed (mm/dd/yy)	
Business Type <input type="checkbox"/> Sole Proprietorship or Individual <input type="checkbox"/> Other _____ (Check one) <input type="checkbox"/> Joint Owner <input type="checkbox"/> Partnership <input type="checkbox"/> Corporate		Dun & Bradstreet (DUNS) No.			
Mailing Address				Daytime Phone No. (      )	
City	State	Zip Code	Fax Phone No. (      )		
Email Address		Website		Cell Phone No. (      )	

**SECTION 2 - ADDITIONAL FACILITIES *(add additional sheets if necessary)***

Business Name		Daytime Phone No. (      )		Fax Phone No. (      )	
Physical Address		City		State	Zip Code
Business Name		Daytime Phone No. (      )		Fax Phone No. (      )	
Physical Address		City		State	Zip Code
Business Name		Daytime Phone No. (      )		Fax Phone No. (      )	
Physical Address		City		State	Zip Code

**SECTION 3 - OWNER INFORMATION**

Name		Social Security No.		Position in Business <i>(if applicable)</i>	
Street Address <i>(if different from Section 1)</i>				Daytime Phone No. (      )	
City	State	Zip Code	Fax Phone No. (      )		
Email Address		Birth Date (mm/dd/yy)		Cell Phone No. (      )	

**SECTION 4 - ADDITIONAL FEDERAL OR STATE DEALER LICENSES**

List All Dealer License Number(s) with Corresponding State or Federal Agency			
1.	2.	3.	4.

**SECTION 5 - DELIVERY INFORMATION**

<b>Mail this application to</b>  NMFS Permits Team Southeast Regional Office 263 13 <sup>th</sup> Avenue, South St. Petersburg, FL 33701	<b>Delivery Options</b> <i>(check the appropriate box)</i>  <input type="checkbox"/> 2-Day Priority Mail <i>(address in Section 1)</i>  <input type="checkbox"/> Federal Express <i>(For FedEx delivery, include completed air bill - see instructions on reverse side)</i>	<b>FOR OFFICE USE ONLY</b>	
		Expiration Date	Reviewer's Initials
		Violation Date	Cleared Date/Initials

**SECTION 6 - APPLICANT SIGNATURE**

Signature:		Date:	
Print or type name:		Position in Business <i>(if applicable)</i>	

## NOAA National Marine Fisheries Service (NMFS) Highly Migratory Species International Trade Permit

A NMFS Highly Migratory Species International Trade Permit is required pursuant to 50 CFR 300.182 to import, export, or re-export swordfish, bluefin tuna, southern bluefin tuna, and/or frozen bigeye tuna, regardless of ocean area of origin.

### *Application Instructions*

- Section 1      Print or type the requested information. NOTE: If business does not have a Federal ID Number, and owner does not have a social security number, then a DUNS number is required.
- Section 2      Print or type the names and addresses of additional facilities where fish are received, if applicable. If more space is needed, attach an additional sheet.
- Section 3      Print or type the requested information.
- Section 4      List all other state and Federal licenses, if applicable.
- Section 5      Select appropriate delivery options. For FedEx delivery, a completed airbill, including your account number or major credit card number with expiration date, is required.
- Section 6      The application must be complete and signed by the owner or it will be returned. The owner's signature declares under of penalty of law that all information on the application is true, accurate and complete.

**Paperwork Reduction Act Notification:** Public reporting burden for this collection of information is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: NMFS, Highly Migratory Species Division, 1315 East West Highway, Silver Spring, MD 20910. The Paperwork Reduction Act requires potential respondents for a dealer permit to be notified of certain information regarding their rights and the burden associated with applying for a Federal dealer permit. One of the regulatory steps taken by NMFS to carry out conservation and management objectives is the requirement of a permit for users of the resources. Section 971(d) of the Atlantic Tunas Convention Act authorizes the promulgation of regulations as may be necessary and appropriate to implement the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). This permit is necessary for the implementation of required ICCAT trade monitoring programs. Pursuant to Section 402(b) of the Magnuson-Stevens Act, and consistent with NOAA Administrative Order 216-100 (Confidentiality of Fisheries Statistics), the Agency does not release confidential information submitted in compliance with provisions of the Act, other than in aggregate form and under circumstances required or authorized by law. Whenever data are requested or released to the general public, the Agency ensures that information on the pecuniary business activity of a dealer is not identified. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to, a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

## 16 USC CHAPTER 16A - ATLANTIC TUNAS CONVENTION

### Sec. 971d. Administration

- (a) Regulations; cooperation with other parties to Convention; utilization of personnel, services, and facilities for enforcement

The Secretary is authorized and directed to administer and enforce all of the provisions of the Convention, this chapter, and regulations issued pursuant thereto, except to the extent otherwise provided for in this chapter. **In carrying out such functions the Secretary is authorized and directed to adopt such regulations as may be necessary** to carry out the purposes and objectives of the Convention and this chapter, and with the concurrence of the Secretary of State, he may cooperate with the duly authorized officials of the government of any party to the Convention. In addition, the Secretary may utilize, with the concurrence of the Secretary of the department in which the Coast Guard is operating insofar as such utilization involves enforcement at sea, with or without reimbursement and by agreement with any other Federal department or agency, or with any agency of any State, the personnel, services, and facilities of that agency for enforcement purposes with respect to any vessel in the exclusive economic zone, or wherever found, with respect to any vessel documented under the laws of the United States, and any vessel numbered or otherwise licensed under the laws of any State. When so utilized, such personnel of the States of the United States are authorized to function as Federal law enforcement agents for these purposes, but they shall not be held and considered as employees of the United States for the purposes of any laws administered by the Director of the Office of Personnel Management.

# Tuna Conservation Act of 1950

## TITLE 16--CONSERVATION

### CHAPTER 16--TUNA CONVENTIONS

#### Sec. 955. Secretary of State to act for United States

(a) Approval of commission bylaws and rules; action on reports, requests, and recommendations

The Secretary of State is authorized to approve or disapprove, on behalf of the United States Government, bylaws and rules, or amendments thereof, adopted by each commission and submitted for approval of the United States Government in accordance with the provisions of the conventions, and, with the concurrence of the Secretary of Commerce, to approve or disapprove the general annual programs of the commissions. The Secretary of State is further authorized to receive, on behalf of the United States Government, reports, requests, recommendations, and other communications of the commissions, and to take appropriate action thereon either directly or by reference to the appropriate authority.

#### (b) Regulations

Regulations recommended by each commission pursuant to the convention requiring the submission to the commission of records of operations by boat captains or other persons who participate in the fisheries covered by the convention, upon the concurrent approval of the Secretary of State and the Secretary of Commerce, shall be promulgated by the latter and upon publication in the Federal Register, shall be applicable to all vessels and persons subject to the jurisdiction of the United States.

#### (c) Rulemaking procedures; prohibitions

Regulations required to carry out recommendations of the commission made pursuant to paragraph 5 of article II of the Convention for the Establishment of an Inter-American Tropical Tuna Commission shall be promulgated as hereinafter provided by the Secretary of Commerce upon approval of such recommendations by the Secretary of State and the Secretary of Commerce. The Secretary of Commerce shall cause to be published in the Federal Register a general notice of proposed rulemaking and shall afford interested persons an opportunity to participate in the rulemaking through (1) submission of written data, views, or arguments, and (2) oral presentation at a public hearing. Such regulations shall be published in the Federal Register and shall be accompanied by a statement of the considerations involved in the issuance of the regulations. After publication in the Federal Register such regulations shall be applicable to all vessels and persons subject to the jurisdiction of the United States on such date as the Secretary of Commerce shall prescribe, but in no event prior to an agreed date for the application by all countries whose vessels engage in fishing for species covered by the convention in the regulatory area on a meaningful scale, in terms of effect upon the success of the conservation program, of effective measures for the implementation of the commission's recommendations applicable to all vessels and persons subject to their respective jurisdictions. The Secretary of Commerce shall suspend at any time the application of any such regulations when, after consultation with the Secretary of State and the United States Commissioners, he determines that foreign fishing operations in the regulatory area are such as to constitute a serious threat to the achievement of the objectives of the commission's recommendations. The regulations thus promulgated may include the selection for regulation of one or more of the species covered by the convention; the division of the convention waters into areas; the establishment of one or more open or closed seasons as to each area; the limitation of the size of the fish and quantity of the catch which may be taken from each area within any

season during which fishing is allowed; the limitation or prohibition of the incidental catch of a regulated species which may be retained, taken, possessed, or landed by vessels or persons fishing for other species of fish; the requiring of such clearance certificates for vessels as may be necessary to carry out the purposes of the convention and this chapter; and such other measures incidental thereto as the Secretary of Commerce may deem necessary to implement the recommendations of the commission: Provided, That upon the promulgation of any such regulations the Secretary of Commerce shall promulgate additional regulations, with the concurrence of the Secretary of State, which shall become effective simultaneously with the application of the regulations hereinbefore referred to (1) to prohibit the entry into the United States, from any country when the vessels of such country are being used in the conduct of fishing operations in the regulatory area in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the commission, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the commission and which were taken from the regulatory area; and (2) to prohibit entry into the United States, from any country, of fish in any form of those species which are subject to regulation pursuant to a recommendation of the commission and which were taken from the regulatory area by vessels other than those of such country in such manner or in such circumstances as would tend to diminish the effectiveness of the conservation recommendations of the commission. In the case of repeated and flagrant fishing operations in the regulatory area by the vessels of any country which seriously threaten the achievement of the objectives of the commission's recommendations, the Secretary of Commerce, with the concurrence of the Secretary of State, may, in his discretion, also prohibit the entry from such country of such other species of tuna, in any form, as may be under investigation by the commission and which were taken in the regulatory area. The aforesaid prohibitions shall continue until the Secretary of Commerce is satisfied that the condition warranting the prohibition no longer exists, except that all fish in any form of the species under regulation which were previously prohibited from entry shall continue to be prohibited from entry.

Sec. 953. General Advisory Committee and Scientific Advisory Subcommittee

(a) Appointments; public participation; compensation

The Secretary, in consultation with the United States Commissioners, shall--

(1) appoint a General Advisory Committee which shall be composed of not less than 5 nor more than 15 persons with balanced representation from the various groups participating in the fisheries included under the conventions, and from nongovernmental conservation organizations;

(2) appoint a Scientific Advisory Subcommittee which shall be composed of not less than 5 nor more than 15 qualified scientists with balanced representation from the public and private sectors, including nongovernmental conservation organizations;

(3) establish procedures to provide for appropriate public participation and public meetings and to provide for the confidentiality of confidential business data; and

(4) fix the terms of office of the members of the General Advisory Committee and Scientific Advisory Subcommittee, who shall receive no compensation for their services as such members.

(b) Functions

(1) General Advisory Committee

The General Advisory Committee shall be invited to have

representatives attend all nonexecutive meetings of the United States sections and shall be given full opportunity to examine and to be heard on all proposed programs of investigations, reports, recommendations, and regulations of the Commission. The General Advisory Committee may attend all meetings of the international commissions to which they are invited by such commissions.

(2) Scientific Advisory Subcommittee

(A) Advice

The Scientific Advisory Subcommittee shall advise the General Advisory Committee and the Commissioners on matters including--

(i) the conservation of ecosystems;

(ii) the sustainable uses of living marine resources related to the tuna fishery in the eastern Pacific Ocean; and

(iii) the long-term conservation and management of stocks of living marine resources in the eastern tropical Pacific Ocean.

(B) Other functions and assistance

The Scientific Advisory Subcommittee shall, as requested by the General Advisory Committee, the United States Commissioners, or the Secretary, perform functions and provide assistance required by formal agreements entered into by the United States for this fishery, including the International Dolphin Conservation Program. These functions may include--

(i) the review of data from the Program, including data received from the Inter-American Tropical Tuna Commission;

(ii) recommendations on research needs, including ecosystems, fishing practices, and gear technology research, including the development and use of selective, environmentally safe and cost-effective fishing gear, and on the coordination and facilitation of such research;

(iii) recommendations concerning scientific reviews and assessments required under the Program and engaging, as appropriate, in such reviews and assessments;

(iv) consulting with other experts as needed; and

(v) recommending measures to assure the regular and timely full exchange of data among the parties to the Program and each nation's National Scientific Advisory Committee (or its equivalent).

(3) Attendance at meetings

The Scientific Advisory Subcommittee shall be invited to have representatives attend all nonexecutive meetings of the United States sections and the General Advisory Subcommittee and shall be given full opportunity to examine and to be heard on all proposed programs of scientific investigation, scientific reports, and scientific recommendations of the commission. Representatives of the Scientific Advisory Subcommittee may attend meetings of the Inter-American Tropical Tuna Commission in accordance with the rules of such Commission.

# **Magnuson-Stevens Fishery Conservation and Management Act**

## **Public Law 94-265**

As amended through October 11, 1996

### **SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853**

**95-354, 99-659, 101-627, 104-297**

**(a) REQUIRED PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall--

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are--

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify--

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;



(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, and charter fishing in the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and describe the likely effects, if any, of the conservation and management measures on--

(A) participants in the fisheries and fishing communities affected by the plan or amendment; and

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of

bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority--

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

**97-453, 99-659, 101-627, 102-251, 104-297**

**(b) DISCRETIONARY PROVISIONS.**--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]\* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]\*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

**97-453, 104-297**

**(c) PROPOSED REGULATIONS.**--Proposed regulations which the Council deems necessary or appropriate for the purposes of--

(1) implementing a fishery management plan or plan amendment shall be submitted to the Secretary simultaneously with the plan or amendment under section 304; and

(2) making modifications to regulations implementing a fishery management plan or plan amendment may be submitted to the Secretary at any time after the plan or amendment is approved under section 304.

Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 8, 2005.

**Joseph A. Spetrini,**  
Acting Assistant Secretary for Import  
Administration.

#### Appendix Issues in Decision Memorandum

*Comment 1:* Whether Jindal Polyester Limited and Valencia Specialty Films Were Affiliated During the First Three Months of the Period of Review

*Comment 2:* Whether Jindal and Valencia Were Affiliated During the Remainder of the Period of Review

*Comment 3:* Whether it is Appropriate to Apply Partial Adverse Facts Available

*Comment 4:* Whether the Department Applied the Appropriate Adverse Facts Available Rate

*Comment 5:* Whether Jindal Polyester Limited Properly Classified Certain Merchandise as Non-prime Merchandise

*Comment 6:* Whether the Department Incorrectly Converted the Currency of Certain Movement Expenses

*Comment 7:* Whether the Department Incorrectly Calculated Home Market Billing Adjustments

*Comment 8:* Whether the Department Incorrectly Calculated the Net Home Market Price

*Comment 9:* Whether the Department Should Offset its Calculations for Negative Dumping Margins

*Comment 10:* Whether to Increase the Price of Certain U.S. Sales by Countervailing Duties Imposed to Offset Export Subsidies

[FR Doc. E5-658 Filed 2-16-05; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Alaska Region Vessel Monitoring System (VMS) Program

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), DOC.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 18, 2005.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Patsy A. Bearden, 907-586-7008 or [patsy.bearden@noaa.gov](mailto:patsy.bearden@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

NMFS Alaska Region manages the U.S. groundfish fisheries of the Exclusive Economic Zone (EEZ) off Alaska under the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area (FMPs). The North Pacific Fishery Management Council prepared the FMPs pursuant to the Magnuson-Stevens Fishery Conservation & Management Act. The regulations implementing the FMPs are at 50 CFR part 679.

The recordkeeping and reporting requirements at 50 CFR part 679 form the basis for this collection of information. NMFS Alaska Region requests information from participating groundfish participants. This information, upon receipt, results in an increasingly more efficient and accurate database for management and monitoring of the groundfish fisheries of the EEZ off Alaska.

##### II. Method of Collection

Internet and facsimile transmission of paper forms. Paper applications, electronic reports, and telephone calls are required.

##### III. Data

*OMB Number:* 0648-0445.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Not-for-profit institutions; and business or other for-profit organizations.

*Estimated Number of Respondents:* 539.

*Estimated Time per Response:* 6 hours to install a VMS; 4 hours per year to maintain a VMS; 5 seconds for an automated position report; 12 minutes to fax a check-in report; and 12 minutes to fax a reimbursement form.

*Estimated Total Annual Burden*

*Hours:* 13,152.

*Estimated Total Annual Cost to Public:* \$491,000.

## IV. Request for Comments

*Comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 10, 2005.

**Gwellnar Banks,**

Management Analyst, Office of the Chief  
Information Officer.

[FR Doc. 05-3033 Filed 2-16-05; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Atlantic Highly Migratory Species Permit Family of Forms

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), DOC.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 18, 2005.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Dianne Stephan, National Marine Fisheries Service (NMFS), Highly Migratory Species Management Division, 1 Blackburn Drive, Gloucester, MA 01930 (phone (978) 281-9397).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

Under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*), the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) is responsible for management of the Nation's marine fisheries. In addition, NMFS must comply with the United States' obligations under the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 *et seq.*). NMFS permits fishing vessels and dealers in order to collect the information necessary to comply with domestic and international obligations, secure compliance with regulations, and disseminate necessary information.

Current regulations at 50 CFR part 635.4 require that vessels participating in commercial and recreational fisheries for highly migratory species (HMS), dealers purchasing Atlantic HMS from a vessel, and dealers importing or exporting bluefin tuna or importing swordfish obtain a permit from NMFS. A final rule which will go into effect on July 1, 2005, (69 FR 67268, November 17, 2004) will also require the HMS International Trade Permit (ITP) for international trade of frozen bigeye tuna, southern bluefin tuna, and export of swordfish.

This action addresses the renewal of permit applications currently approved under 0648-0327, including vessel permits for Atlantic tunas, HMS charter/headboats, and HMS angling, and the HMS ITP. In addition, vessel permits for swordfish (directed, incidental, and hand gear) and sharks (directed and incidental) currently approved under collection 0648-0205 will be merged into this collection and renewed; dealer permits for sharks and swordfish currently approved under collection 0648-0205 will be merged into this

collection and renewed; and dealer permits for Atlantic tunas, currently approved under collection 0648-0202 will be merged into this collection and renewed.

**II. Method of Collection**

Applications for Atlantic Tunas, HMS Angling, and HMS Charter/Headboat Vessel Permits may be submitted online at [www.nmfspermits.com](http://www.nmfspermits.com), mailed, or faxed. All other applications including dealer permits and other vessel permits must be mailed.

**III. Data**

*OMB Number:* 0648-0327.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Business or other for-profit organizations (vessel owners and dealers).

*Estimated Number of Respondents:* 45,520.

*Estimated Time Per Response:* 5 minutes for the HMS ITP Application, initial and renewal of Shark and Swordfish Dealer Permit Applications, and renewal of Atlantic Tunas Dealer Permit Application; 6 minutes for renewal application for the following vessel permits: Atlantic Tunas, HMS Charter/Headboat, and HMS Angling; 15 minutes for initial Atlantic Tunas Dealer Permit Application; 20 minutes for initial and renewal of Shark and Swordfish Vessel Permit Applications; and 30 minutes for initial applications for the following vessel permits: Atlantic Tunas, HMS Charter/Headboat, and HMS Angling.

*Estimated Total Annual Burden Hours:* 5,506.

*Estimated Total Annual Cost to Public:* \$1,477,988.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection;

they also will become a matter of public record.

Dated: February 11, 2005.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 05-3037 Filed 2-16-05; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**Proposed Information Collection; Comment Request; Alaska Region Logbook Family of Forms**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), DOC.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before April 18, 2005.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Patsy A. Bearden, (907) 586-7008 or [patsy.bearden@noaa.gov](mailto:patsy.bearden@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The National Marine Fisheries Service (NMFS) Alaska Region manages the U.S. groundfish fisheries of the Exclusive Economic Zone (EEZ) off Alaska under the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area (FMPs). The North Pacific Fishery Management Council prepared the FMPs pursuant to the Magnuson-Stevens Fishery Conservation and Management Act. The regulations implementing the FMPs are at 50 CFR part 679.

The recordkeeping and reporting requirements at 50 CFR part 679 form